



\$~17

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 1056/2026**

ABROSIA HOSPITALITY PVT LTD

.....Petitioner

Through: Mr. Raghav Anand and Mr. Shubham
Kathuria, Advocates.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Neeraj Kumar, Adv (CGSC) Mr.
Shashwat, Advocates for R-1/ UOI.
Mr. Bipul Kumar (GP) for R-1/ UOI.
Ms. Nidhi Sahay, Mr. Shashank
Manish and Ms. Pragati Singh,
Advocates for R-3/ Bank.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

%

20.03.2026

1. The petition is for the following reliefs:

*“a) Pass an appropriate Writ of Certiorari or any other appropriate writ/directions calling upon for the relevant records and quashing the instructions issued by the Respondent No.2 to Respondent No.3 to block/freeze the complete bank account of the Petitioner, and;
b) Pass an appropriate Writ of Mandamus or any other appropriate writ/direction directing the Respondent No.3 to forthwith defreeze the Petitioner's Bank account, and;”*

2. The respondent no.3-Bank clearly takes the position that with respect to complaints *qua* the petitioner's Bank Account, the total disputed amount is Rs. 15,171/-. Learned counsel for the petitioner submits that the petitioner



has not received any summons or information from any of the investigation agency regarding petitioner's complicity.

3. It is submitted that till date, no First Information Report (FIR) has been lodged against him, nor any charge-sheet has been filed.

4. The Court in the case of ***Malabar Gold and Diamond Limited & Ors. v. Union of India & Ors.*** in W.P.(C) 4198/2025 dated 16.01.2025 has held as under:

“19. In light of these provisions, it is also pertinent to note that any blanket or disproportionate freezing of bank accounts, particularly where the account holder is neither an accused nor even a suspect in the offence under investigation, is manifestly arbitrary, and in the teeth of the fundamental rights under Article 19(1)(g) and 21 and of the Constitution of India, which encompass the right to livelihood and freedom to carry on trade and business. Such indiscriminate debit freezing, without any finding of complicity, has the inevitable effect of paralysing the day-to-day business operations of an otherwise innocent entity, resulting in loss of commercial goodwill and financial consequences, thereby subjecting a non-complicit account holder to punitive consequences.”

5. Accordingly, the respondent no.3-Bank is directed to defreeze the petitioner's Bank Account bearing no. 50200038733820 except continuing the lien to the extent of Rs. 15,171/-.

6. The petitioner's undertaking is placed on record that it shall cooperate with the authorities as and when any investigation is carried out.

7. With the aforesaid direction, the petition stands disposed of.

PURUSHAINDR KUMAR KAURAV, J

MARCH 20, 2026

aks